

REMARKS/ARGUMENTS

The non-final Office Action of January 24, 2007, has been carefully reviewed and these remarks are responsive thereto. New claims 54-56 have been added, claim 51 is amended, and no claims have been canceled. No new matter has been added. Claims 2-6, 8-17, 20-24, 26-31, 33-41, and 43-56 thus remain pending in this application. Reconsideration and allowance of the instant application are respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 2-6, 8-14, 17, 20-24, 26, 29-31, 33-41, 43-45, and 50-53 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,654,814 (*Britton*). Applicant respectfully traverses this rejection.

Independent claim 50 recites, in part, “device-independent content comprising markup information identifying one or more device feature values.” The Office Action alleges that *Britton* teaches this feature at Col. 5, lines 1-8, Col. 8, lines 46-64, and Col. 10, lines 2-62. Applicant respectfully disagrees. In *Britton*, the server receives content from a central repository and provides it to a requesting client, tailoring the content based on the client’s device capabilities and user preferences. See FIG. 2; Col. 10, lines 2-23. However, in *Britton*, the device-independent content, i.e., the content received from the central repository, does not contain any markup information. Thus, even if *Britton*’s server adds markup information to the content, it would only add device-specific markup information corresponding to the user preferences or device capabilities of the requesting client, thereby making the content device-specific. This distinction is significant. As discussed in the instant application, the use of markup information within device-independent content enables content *authors* to customize the rendering of content on different devices, rather than merely relying on user preferences and device capabilities. See, e.g., Specification, page 4, lines 1-4; FIG. 1. Therefore, because *Britton* does not disclose “device-independent content comprising markup information identifying one or more device feature values,” independent claim 50 is not anticipated by *Britton*.

Independent claims 51-53 recite similar features not disclosed by *Britton*. Specifically, claim 51 recites, “wherein said device-independent content comprises markup information identifying one or more device feature values associated with the device-independent content,” claim 52 recites, “wherein said content comprises markup information identifying one or more content display characteristics,” and claim 53 recites, “device-independent content comprising embedded annotations specifying author intent for displaying the content on a plurality of devices having different display characteristics, said embedded annotations including one or more content display feature values.” Applicant submits that for similar reasons to those discussed in reference to claim 50, independent claims 51-53 are also not anticipated by *Britton*.

Additionally, independent claim 52 recites wherein “said content display characteristics expressing an author intent for displaying said content on a plurality of devices having different display characteristics,” and independent claim 53 recites wherein “the device-independent content comprising embedded annotations specifying author intent for displaying the content on a plurality of devices having different display characteristics.” (Emphasis added) As noted above, *Britton* only tailors information based on user preferences and device capabilities, it does not disclose customizing the rendering of content on different devices based on author intent, as recited in claims 52 and 53. Further, the Office Action never mentions “author intent” and does not identify where in the prior art that rendering content based on author intent is allegedly taught. Accordingly, Applicant submits that independent claims 52 and 53 are allowable for these additional reasons, and respectfully requests that any subsequent Office Action substantively addressing these features be non-final to allow the Applicant an opportunity to respond to these rejections when first presented.

Claims 2-6, 8-17, 20-24, 26-31, 33-41, and 43-49 each depend from one of claims 50-53 and are allowable for at least the same reasons as their respective base claim, as well as based on the additional features recited therein. For example, claims 8 and 9 respectively recite, “invoking said markup information corresponding to the device feature values,” and “removing said markup information from said device-independent content.” The Office Action alleges that these features are taught by *Britton* at Col. 8, lines 26-37 and Col. 12, lines 20-31. Applicant respectfully disagrees. The relied-upon sections of *Britton* are reproduced below:

In addition to determining the distribution of content tailoring based upon policies, rules may also be established, for example, for particular operating environment conditions. Thus, rules may be established such as removing
30 images from content provided to devices with less than a 120x150 pixel display. Images may be transformed to black and white only if the connection to a device is through a wireless connection. Similarly, rules can be based on the type of message. For example, if a message is an e-mail do
35 not modify the content. If the message is sent to a PDA then only display heading lines and enclose text with XML/HTML "special" tags.

20 policies, rules and/or the preferences (block 216). If content modification is specified to be carried out at the server, then the content is modified based on the coalesced preferences/ received session specific information and the policies or rules for the user identification of the request (block 218).

25 Irrespective of whether content modification is to be performed at the server, the server-side proxy 64 also determines if content tailoring or modification is to be performed at the client (block 220). If content modification is to be performed at the client, then the server-side proxy 64
30 incorporates any information necessary for such modification, such as programs required, etc . . . , into the

Neither these sections of *Britton*, nor any other the Applicant has identified, discloses converting device-independent content by invoking or removing markup language. Thus, *Britton* does not disclose "invoking said markup information corresponding to the device feature values," and "removing said markup information from said device-independent content," as recited in claims 8 and 9. Accordingly, Applicant submits that dependent claims 8 and 9 are allowable for at least this additional reason.

Rejections Under 35 U.S.C. § 103

Claims 15, 27-28, and 46-49 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Britton* in view of U.S. Patent Publ. No. 2002/0091738 (*Rohrbaugh*). Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Britton*, in view of *Rohrbaugh*, and further in view of U.S. Patent No. 6,523,040 (*Lo*). However, neither *Rohrbaugh* nor *Lo* cures the

deficiencies of Britton discussed above in relation to independent claims 50-53. Thus, claims 15-16, 27-28, and 46-49 are allowable for at least the same reasons as their respective base claims, as well as based on the additional features recited therein.

New Claims

Applicant has added new claims 54-55 to clarify and more fully claim the invention. Claim 54 recites wherein the markup information includes two metatags identifying two different values for the same device feature. Claim 55 further recites wherein the portions of content associated with the metatags are related, and wherein only one of the portions is included in the device-specific content. Specific support for these features is provided in the instant application at, among other places, FIG. 4, lines 29-34, and FIGS. 13A-13B, lines 8-78. Since these features are neither taught nor suggested by *Britton*, *Rohrbaugh*, or *Lo*, alone or in combination, Applicant submits that new claims 54-55 are also allowable over the cited references.

New claim 56 is allowable at least for similar reasons as claim 50.

(Conclusion and signature block follow on next page)

CONCLUSION

Based on the foregoing, Applicant respectfully submits that the application is in condition for allowance and a Notice to that effect is earnestly solicited. Should the Examiner believe that anything further is desirable in order to place the application in even better form for allowance, the Examiner is respectfully urged to contact Applicant's undersigned representative at the below-listed number.

Respectfully submitted,
BANNER & WITCOFF, LTD.

Dated this 21st day of May, 2007

By: /Ross Dannenberg/
Ross Dannenberg, Registration No. 49,024
1100 13th St. N.W.
Washington, D.C. 20005-4051
Tel: (202) 824-3153
Fax: (202) 824-3001